

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

AIR PRODUCTS LLC,

Plaintiff,

vs.

CIECH, S.A.,

Defendant.

Case No. 5:12-cv-6953-JKG

ORAL ARGUMENT
REQUESTED

DEFENDANT CIECH, S.A.'S MOTION TO DISMISS
THE SECOND AMENDED COMPLAINT

Defendant Ciech, S.A. respectfully moves for dismissal of Plaintiff Air Products LLC's Second Amended Complaint pursuant to Federal Rules of Civil Procedure 12(b)(6) and 12(b)(7) and the doctrine of *forum non conveniens*. The reasons for the motion are set forth more fully in the accompanying Memorandum of Law and Declarations of Jonathan E. Paikin and Artur Osuchowski.

Ciech respectfully requests the opportunity to be heard on this motion and that the Court set a date for oral argument.

April 22, 2013

Respectfully submitted,

WILMER, CUTLER, PICKERING,
HALE and DORR LLP

/s/ David Ogden

David W. Ogden (admitted *pro hac vice*)
Jonathan E. Paikin (admitted *pro hac vice*)
Charles Beene (admitted *pro hac vice*)
Daniel Winik (admitted *pro hac vice*)
1875 Pennsylvania Ave., N.W.
Washington, D.C. 20006
(202) 663-6000 (TEL)
(202) 663-6363 (FAX)
david.ogden@wilmerhale.com

Of Counsel:
Eric Mahr (PA Bar No. 59083)
WILMER, CUTLER, PICKERING
HALE and DORR LLP
1875 Pennsylvania Ave., N.W.
Washington, D.C. 20006

Attorneys for Ciech, S.A.

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ORDER

NOW, this ____ day of _____, 2013, upon consideration of Defendant's Motion to Dismiss, filed April 22, 2013, and upon consideration of the briefs of the parties,

IT IS ORDERED that the motion is granted.

James Knoll Gardner
United States District Judge